

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel Fitzgerald September 4, 2008.

The application has been amended as follows:

Claim 1 has been replaced by:

-- Claim 1, A method for assessing a loan portfolio comprising a plurality of non-performing loans, said method comprising the steps of:
assigning at least one characteristic to each loan included within the portfolio including at least one of size of outstanding balance, nature of collateral security, lien information, historical payment performance, litigation status, and underwritten valuation;
identifying a current milestone for each loan included within the portfolio at a selected time of assessment from a series of predefined milestones, wherein the series of predefined milestones represent different stages that non-performing loans experience prior to resolution including at least one of not contacted, in negotiation, scheduled for approval, approved, approved delinquent, closed, closed delinquent, paid-in-full, and foreclosed;
creating a business plan for each loan included within the portfolio including planned collections and timing of collections for each loan;
electronically segmenting the loan portfolio based on the at least one characteristic assigned to each loan;
electronically determining planned collections for each loan for the selected time of assessment;
electronically determining actual collections for each loan for the selected time period of assessment;
electronically populating a spreadsheet identifying the current milestone and a cumulative

variance between planned collections and actual collections at the current milestone for each loan; and
electronically determining a contribution of a portfolio segment to an overall cumulative loan portfolio variance, wherein the portfolio segment includes each loan included within the portfolio having an assigned characteristic that correlates with a loan characteristic selected by a user for analysis. - -

Claim 3 has been replaced by:

-- Claim 3, A method according to Claim 1 wherein electronically determining planned collections comprises the steps of denormalizing a business plan to create a list-oriented format for each loan and each planned payment, coding planned payments to an index of time, and determining cumulative planned collections for each loan. - -

Claim 4 has been replaced by:

-- Claim 4, A method according to Claim 1 wherein electronically determining actual collections comprises the steps of coding actual payments for each loan to an index of time and determining cumulative actual payments for each loan. - -

Claim 5 has been replaced by:

-- Claim 5, A variance tracking system, said database comprising a computer coupled to a database said database comprising a memory storage having data stored therein, said database comprising:

at least one characteristic associated with each of a plurality of non-performing loans included within a loan portfolio, wherein the at least one characteristic assigned to each loan includes at least one of size of outstanding balance, nature of collateral security, lien information, historical payment performance, litigation status, and underwritten valuation;

a current milestone for each of the plurality of loans, wherein the current milestone is included within a series of predefined milestones, wherein the series of predefined milestones represent different stages that non-performing loans experience prior to resolution including at least one of not contacted, in negotiation, scheduled for approval, approved, approved delinquent, closed,

closed delinquent, paid-in-full, and foreclosed;
a business plan for each of the plurality of loans including planned payments and timing of payments for each loan;
segments of the loan portfolio based on the at least one characteristic assigned to each loan;
actual payments for each loan;
indexes of time associated with each planned payment and with each actual payment;
a variance between each planned payment and each actual payment; and
wherein the computer is programmed to electronically determine a contribution of each portfolio segment to an overall cumulative loan portfolio variance, wherein each portfolio segment includes each loan included within the portfolio having an assigned characteristic that correlates with a loan characteristic selected by a user for analysis. - -

Claim 6 has been replaced by:

-- Claim 6, A computer program for controlling operation of a computer to determine variance in a loan portfolio of non-performing loans, said computer program executable to control the computer to:
assign at least one characteristic to each loan included within the portfolio including at least one of size of outstanding balance, nature of collateral security, lien information, historical payment performance, litigation status, and underwritten valuation;
associate each loan in the portfolio with one of a plurality of milestones, wherein the milestones represent different stages that non-performing loans experience prior to resolution including at least one of not contacted, in negotiation, scheduled for approval, approved, approved delinquent, closed, closed delinquent, paid-in-full, and foreclosed;
create a business plan for each loan included within the portfolio including planned collections and timing of collections for each loan;
segment the loan portfolio based on the at least one characteristic assigned to each loan;
electronically determine cumulative planned collections for each loan for a selected time of assessment;
electronically determine cumulative actual collections for each loan for the selected time period

of assessment;

electronically determine a cumulative variance for each loan for the selected time period of assessment based on the cumulative planned collections and cumulative actual collections; and electronically determine a contribution of each portfolio segment to an overall cumulative loan portfolio variance, wherein each portfolio segment includes each loan included within the portfolio having an assigned characteristic that correlates with a loan characteristic selected by a user for analysis. - -

Allowable Subject Matter

2. Claims 1, 5-6, 11, are allowable over the prior art of record and as argued by Applicant's representative in their response filed 4/7/2008.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement Graham whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Frantzy Poinvil/
Primary Examiner, Art Unit 3692**

CG

Sept 4, 2008